

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

KENNETH REVEN McCLAIN, §  
§  
Plaintiff, §  
§  
v. § Civil Action No. 3:09-CV-1721-M-BH  
§  
WILL BUESCHEL, and §  
UNITED STATES, §  
§  
Defendants. §

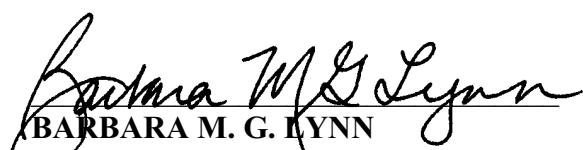
**ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on *Defendant United States' Motion to Dismiss and Memorandum in Support*, filed November 30, 2009. No objections were filed, but Plaintiff filed a Motion to Remand the state claims. The District Court reviewed the proposed Findings, Conclusions, & Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

*Defendant United States' Motion to Dismiss*, filed November 30, 2009, is **GRANTED**.

There being no remaining federal claims, Plaintiff's remaining claims are remanded to the County Court at Law No. 2 of Dallas County, Texas.

SIGNED this 2<sup>nd</sup> day of March, 2010.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS